IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.2506 of 2007

Girish Purshottamrao Thorat — Applicant
Vs.
Krishna Vallabh Khandelwal & anr. — Respondents

Mrs.Bhavana Shah with Mr.P.R.Moses for applicant.
Mr.S.K.Keswani for resp.no.1.
Mr.A.S.Shitole, APP for State.

CORAM: B.H.MARLAPALLE, J.

September 12, 2007.

P.C.

. Heard the learned counsel for the appellant who has been convicted in CC No.2126/SS/2005 and has been directed to pay compensation of Rs.75,000/- to the complainant i.e. the present respondent no.1 and the said order has been challenged in Criminal Appeal No.86 of 2007 before the Sessions Court at Sewree. On 3/7/2007 an order came to be passed below Exhibit 3 in the said Criminal Appeal rejecting the said application. In the said application the appellant had prayed for four weeks time to deposit 50 per cent compensation amount and the learned Judge of the lower Appellate Court refused to consider the said request as there was no medical certificate appended to the application.

. The learned counsel for the applicant has

placed on record a demand draft of Rs.37,500/- drawn in favour of the Registrar for Sessions Court, Greater Mumbai at Sewree and, therefore, prays for directions to accept the said demand draft and to stay the non-bailable warrant issued by the Sessions Court.

. It is hereby directed that the demand draft be accepted, if submitted within two days i.e. by 14th September 2007 before the lower Appellate Court and the non-bailable warrant issued will remain suspended for a period of two weeks from today. The learned counsel for the applicant - appellant is at liberty to apply for cancellation of the non-bailable warrant and such application be decided by the lower Appellate Court within one week of its filing. Application is disposed off accordingly.

. Parties to act on an authenticated copy of this order.

(B.H.MARL